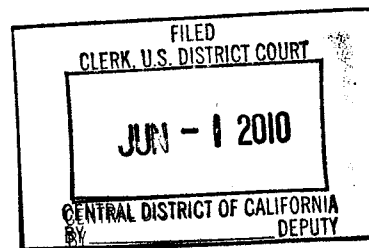


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10 UNITED STATES DISTRICT COURT
11 CENTRAL DISTRICT OF CALIFORNIA
12 WESTERN DIVISION

13 United States of America,
14 Petitioner,
15 vs.
16 Joel R. Baker,
17 Respondent.

Case No.

~~Proposed~~
Order to Show Cause

CV 10 4013 PSG
(Ex)

18
19
20 Upon the Petition and supporting Memorandum of Points and Authorities,
21 and the supporting Declaration in Support of Petition to Enforce Internal Revenue
22 Service Summons, the Court finds that Petitioner has established its *prima facie*
23 case for judicial enforcement of the subject Internal Revenue Service (IRS)
24 summons. See United States v. Powell, 379 U.S. 48, 57-58, 85 S.Ct. 248, 13
25 L.Ed.2d 112 (1964).

26 Therefore, **IT IS ORDERED** that Respondent appear before this District
27 Court of the United States for the Central District of California, at the following
28 address on specified dated and time, and show cause why the testimony and

1 production of books, papers, records, and other data demanded in the subject IRS
2 summons should not be compelled:

3 Date: Monday, July 26, 2010

4 Time: 2:30 PM
5 880

6 Courtroom:

7 Address: ☐ United States Courthouse

8 312 N. Spring Street, Los Angeles, California, 90012

9 ☒ Roybal Federal Building and United States Courthouse

10 255 E. Temple Street, Los Angeles, California, 90012

11 ☐ Ronald Reagan Federal Building and United States Courthouse

12 411 West Fourth Street, Santa Ana, California, 92701

13 ☐ Brown Federal Building and United States Courthouse

14 3470 Twelfth Street, Riverside, California, 92501

15 **IT IS FURTHER ORDERED** that copies of the following documents be
16 served on Respondent by **personal delivery** or **certified mail**:

17 1. This Order; and

18 2. The Petition, Memorandum of Points and Authorities, and accompanying
19 Declaration.

20 Service may be made by any employee of the IRS or the United States Attorney's
21 Office.

22 **IT IS FURTHER ORDERED** that within fourteen (14) calendar days after
23 service upon Respondent of the herein described documents, Respondent shall file
24 and serve a written response, supported by appropriate sworn statements, as well as
25 any desired motions. If, prior to the return date of this Order, Respondent files a
26 response with the Court stating that Respondent does not oppose the relief sought
27 in the Petition, nor wish to make an appearance, then the appearance of
28

Respondent at any hearing pursuant to this Order to Show Cause is excused, and Respondent shall comply with the summons within ten (10) days thereafter.

IT IS FURTHER ORDERED that all motions and issues raised by the pleadings will be considered on the return date of this Order. Only those issues raised by motion or brought into controversy by the responsive pleadings and supported by sworn statements filed within fourteen (14) calendar days after service of the herein described documents will be considered by the Court. All allegations in the Petition not contested by such responsive pleadings or by sworn statements will be deemed admitted.

DATED: 5/28/10

PHILIP S. GUTIERREZ

U.S. DISTRICT COURT JUDGE

Respectfully submitted,

ANDRÉ BIROTTE JR.

United States Attorney

SANDRA R. BROWN

Assistant United States Attorney

Chief, Tax Division


DANIEL LAYTON

Assistant United States Attorney

Attorneys for United States of America